FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

MAY 0 5 2017

MATTHEW J. DYKMAN
CLERK

AO 91 (Rev. 11/11) Criminal Complaint

# UNITED STATES DISTRICT COURT
for the
District of New Mexico

United States of America
v.
BREE LYNN COONSIS
Year of Birth: 1992

Defendant(s)

Case No. 17 mj 1105

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 29, 2017 in the county of McKinley in the District of New Mexico, the defendant(s) violated:

Code Section	*Offense Description*
18 U.S.C. § 1153(a)	Offenses committed within Indian Country
18 U.S.C. § 1112	Involuntary Manslaughter
NMSA § 66-8-102	Driving Under the Influence of Intoxicating Liquor or Drugs
NMSA § 66-8-113	Reckless Driving

This criminal complaint is based on these facts:

On or about April 29, 2017, BREE LYNN COONSIS, an Indian, did unlawfully kill JANE DOE within the confines of the Zuni Indian Reservation, which is Indian Country in the District of New Mexico in violation of Title 18, U.S.C. §§ 1153(a) and 1112, Involuntary Manslaughter in Indian Country, and NMSA § 66-8-102, Driving Under the Influence of Intoxicating Liquor or Drugs, and NMSA § 66-8-113, Reckless Driving.

☑ Continued on the attached sheet.

Complainant's signature

Nancy Stemo, FBI Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date: 5/5/17

Judge's signature

City and state: Albuquerque, NM

Steven C. Yarbrough U.S. Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA	)	
	)	Case No.
VS	)	
	)	AFFIDAVIT IN
BREE LYNN COONSIS	)	SUPPORT OF
Year of birth: 1992	)	ARREST WARRANT
	)	

I, Nancy Stemo, being duly sworn, hereby depose and state as follows:

1. I have been a law enforcement officer since May 2016 and am employed as a Special Agent (SA) with the Federal Bureau of Investigation (FBI). I am currently assigned to the Albuquerque Division of the FBI. I have received on the job training from other experienced agents and law enforcement officers in various types of investigations. In this regard, the following information was developed from an investigation conducted by FBI SA Clay Huesman and other sworn law enforcement officers regarding the death of JANE DOE, YOB 1997, caused by BREE LYNN COONSIS (hereinafter COONSIS), a 25 year-old female, enrolled member of the Zuni Pueblo, which occurred within the exterior boundaries of Zuni Indian Reservation. The following information was communicated to me by SA Huesman:

INVESTIGATION

2. This investigation concerns alleged violations of Title 18 U.S.C. §§ 1112 and 1153(a), Involuntary Manslaughter in Indian Country, NMSA § 66-8-102, Driving Under the Influence of Intoxicating Liquor or Drugs, and NMSA § 66-8-113, Reckless Driving.

3. I am aware that on 04/29/2017 at approximately 5:00 P.M., following the report of a hit and run vehicle accident involving a white Jeep Cherokee, operated by COONSIS, Zuni Police Officers responded near the intersection of Lakeside Road and Peywa Drive, located in Zuni,

New Mexico, within the exterior boundaries of the Zuni Indian Reservation, which is Indian Country in the District of New Mexico. A Zuni Police Department (PD) officer observed an individual, later identified as JANE DOE, laying on the eastside of the roadway and being held by a male, later identified as B.C., YOB 1993. The Zuni PD officer described DOE as having shallow breathing and appeared to have been run over on the stomach. Emergency Medical Services responded to the scene and transported DOE to Zuni Hospital.

4. JANE DOE was pronounced dead on 04/29/2017, at 5:54 P.M., at the Zuni Hospital by Dr. Angelina Shigeura. On 04/30/2017, OMI Senior Field Investigator, Richard Malone provided preliminary results from the autopsy of DOE, which indicated blunt thoracic and abdominal trauma, both legs fractured near the knees, fractured ribs, a lacerated lung and lacerated liver. These injuries were consistent with a vehicle/pedestrian crash.

5. The Zuni PD officer's report stated B.C. told the officer, "My sister (COONSIS) ran her over," and "My sister (COONSIS) just plowed her."

6. According to the Zuni PD incident report, a witness, J.C., YOB 1990, stated regarding COONSIS, "She's all drunk, I was all fucking drive straight, fucking quit driving stupid, it was a fucking death ride when we were coming down." J.C. stated COONSIS was driving at a high rate of speed and erratically when heading back into Zuni, New Mexico. J.C. stated COONSIS and DOE were arguing and ended up in a physical fight. The physical fight occurred inside the vehicle at the stop sign near the intersection of Lakeside and Peywa, just before DOE exited the vehicle.

7. The Zuni PD incident report stated a witness near the scene of the crash, K.L., YOB 1974, observed individuals from the white Jeep Cherokee arguing prior to the incident. K.L. told a Zuni PD officer three individuals walked north, away from the white Jeep Cherokee. K.L. told a Zuni PD officer the white Jeep Cherokee made a wide turn from Peywa Drive at what was described as a high rate of speed, making the tires screech, before the vehicle ran over one of the individuals that was walking north on Lakeside Road.

8. On 04/29/2017, the white Jeep Cherokee bearing New Mexico Tag PBH005 was located in Gallup, New Mexico by officers from the Gallup Police Department. The FBI seized the vehicle to preserve any evidence of a crime and had it towed to the Gallup Resident Agency of the FBI, where the vehicle remains sealed and secured within a building.

9. On 04/29/2017 at approximately 8:30 P.M., COONSIS was located at a residence in Gallup, New Mexico. FBI SA Clay Huesman and officers from the Gallup Police Department observed COONSIS using a white Unnecto cellular telephone to communicate with unknown parties regarding the incident with DOE. The FBI seized COONSIS' white Unnecto cellular telephone to preserve any digital evidence of a crime that may be present on the telephone. The white Unnecto cellular telephone remains secured at the Gallup Resident Agency of the FBI.

10. On 04/29/2017, R.B., YOB 1993, told SA Huesman how COONSIS arrived at his residence on the evening of 04/29/2017. R.B. described COONSIS as being paranoid and pacing but COONSIS did not tell R.B. what happened. R.B. overheard COONSIS talking on her cellular telephone with who R.B. thought was possibly her mother and grandmother about the incident involving DOE. R.B. got the impression from listening to COONSIS there had been arguing and fighting between COONSIS and DOE as well as DOE and B.C.

11. During a recorded interview on 04/30/2017, J.C. told Zuni Criminal Investigator (CI) Krissy Leekity, COONSIS drove her white Jeep Cherokee with DOE, B.C., and J.C. from Zuni, New Mexico to El Sabinos, near Vanderwagen, New Mexico where gas, beer/liquor were purchased on the afternoon of 04/29/2017. J.C. told CI Leekity, COONSIS usually gets three miniature bottles of something 99 or 100 proof like Yukon Jack (whiskey) in exchange for a ride. J.C. observed COONSIS drink one can of Budweiser, from an 18 pack of beer. J.C. stated he was not sure how much liquor or how many miniatures bottles of liquor COONSIS drank because it is hard to see how much of those someone drinks. J.C. believed B.C. and DOE drank the majority of the 18 pack of beer. J.C. stated he had three beers from the 18 pack.

12. J.C. described COONSIS as having "big" eyes and being very fidgety and jittery. J.C. stated at one stop they made COONSIS leaned back and acted like she was asleep but J.C. could still see COONSIS' eyeballs moving all erratically. According to J.C., COONSIS stated she took "a line" before COONSIS picked up J.C., B.C., and DOE on 04/29/2017. J.C. stated COONSIS was driving approximately 75-80 miles per hour near Zuni, New Mexico. J.C. described COONSIS as driving unsafe and swerving.

13. J.C. explained B.C. and DOE started arguing around the intersection of 53 and 602 while they were headed towards Zuni, New Mexico. J.C. was not sure what caused the argument, but maybe involved headphones B.C. had around his neck. J.C. stated when B.C. and DOE got loud, J.C. yelled at B.C. and DOE and they remained quiet until they were in the Blackrock area of Zuni, New Mexico when the argument between B.C. and DOE got worse again. B.C. stated they needed to drop off DOE because she was mad.

14. J.C. explained as they drove down the hill by the Zuni Hospital, COONSIS and DOE started arguing. J.C. stated the argument between COONSIS and DOE escalated when they were around the turn off for First Lake. J.C. stated he got out of the vehicle when the vehicle stopped at the stop sign facing westbound around the Lakeside and Peywa intersection. J.C. stated B.C. asked him to help because COONSIS and DOE were fighting inside the vehicle. J.C. stated B.C. had to get DOE off of COONSIS because DOE moved from the back seat to the front to fight with COONSIS.

15. Around this time, J.C. stated he started walking northbound on Lakeside Road and had made it to approximately the speed limit sign when J.C. heard footsteps. J.C. turned to see B.C. running toward J.C. and telling for J.C. to wait up. J.C. stated DOE was a short distance behind B.C. Later in the interview, J.C. estimated DOE was 4-5 yards behind B.C. J.C. stated he, B.C., and DOE were walking on the side of the road in the dirt/mud and not on the pavement. Later in the interview, J.C. clarified the three were walking northbound on the eastside (of Lakeside Road).

16. J.C. described hearing an accelerating vehicle sound and the sound of a vehicle peeling out. J.C. thought COONSIS was just going to peel out and go around them. J.C. observed COONSIS driving up and running over DOE, almost hitting B.C. and J.C. as well. J.C. described seeing the vehicle's front going up and then seeing DOE go underneath the vehicle. Later in the interview, J.C. explained the vehicle's momentum took DOE a few yards down the road. When showing the officers where the events took place, J.C. saw tire tracks from the pavement into the dirt/mud.

17. When asked if COONSIS said anything before running over DOE, J.C. stated he did not remember hearing COONSIS say anything. J.C. went on to say COONSIS had a "crazy look on her face." J.C. also stated he was not passing judgement, but felt it was not an accident.

18. J.C. stated he and B.C. ran to DOE, who was making noises, and J.C. told B.C. to not let DOE go to sleep. B.C. called for emergency services. Once Zuni PD officers were on the scene, J.C. stated he provided a description of COONSIS and the white Grand Cherokee.

19. On 04/30/2017, the FBI obtained New Mexico vehicle registration information for the white Jeep Cherokee, New Mexico Tag PBH005, observed being driven by COONSIS on the date and time of the incident. The white Jeep Cherokee, bearing New Mexico Tag PBH005 is registered to BREE LYNN COONSIS, PO Box 1563, Zuni, New Mexico and has a VIN of 1J4GW58N51C632741.

20. On 05/01/2017, COONSIS called SA Huesman to advise she wanted to voluntarily come in for an interview. COONSIS got a ride to the FBI Gallup Resident Agency from her cousin. During a recorded interview conducted by by CI Leekity and SA Huesman on 05/01/2017, COONSIS stated she received a text from a friend asking if she wanted to do some drugs on 04/29/2017, prior to her picking up B.C., J.C., and DOE. COONSIS stated she went to the friend's house and got high by smoking "coke." Later in the interview, COONSIS stated she told J.C. she got high before picking up B.C., J.C., and DOE. COONSIS explained she actually got high on "meth" and that it was not "coke."

21. COONSIS stated B.C. called twice asking for a ride while she was at the friend's house. COONSIS called B.C. and agreed to give him a ride to sell bracelets. COONSIS returned to her residence where she picked up B.C., J.C., and DOE. COONSIS explained her brother ended up not going to sell bracelets and instead she drove everyone to the bar, Sabinos. COONSIS stated B.C. bought a quart of Corona and $15.00 of gas for her vehicle. COONSIS stated B.C. bought an 18 pack of Budweiser, 12 pack of Bud Light, and three Yukon Jack miniature bottles.
22. In response to questioning about her driving, COONSIS stated she was probably swerving and paying attention to her music or looking at her phone while driving. COONSIS stated she drank the three miniature bottles of Yukon Jack after departing Sabinos but before arriving at First Lake.
23. COONSIS described driving from Sabinos, to Family Dollar and then to Nutria Lake. COONSIS stated on the way from Nutria Lake into Zuni, New Mexico, DOE and B.C. were arguing so she pulled into the loop in front of Zuni High School to drop off DOE. J.C. stated they should not drop off DOE at the high school out of fear she might get put in jail. COONSIS agreed and drove away from the high school towards First Lake. COONSIS stated she stopped at the four way stop at First Lake (intersection of Lakeside Road and Peywa or Paywa Drive).
24. COONSIS stated she and DOE were arguing in the vehicle which led to a physical altercation within the vehicle. B.C. exited the vehicle and was able to get DOE out of the vehicle. According to COONSIS, DOE was still cussing when she was outside the vehicle and DOE went to the front of the vehicle. COONSIS stated she was upset from the physical altercation. COONSIS claimed she reversed and then went forward. COONSIS stated she knew she hit DOE.
25. COONSIS explained she was in a state of mind of being upset, angry, and intoxicated, that the three shots did not help. COONSIS initially claimed she drove without intention of hurting DOE or hurting herself. COONSIS stated she drove with a cloudy, foggy, and angry state of mind.

26. Later in the interview, COONSIS stated after DOE exited the vehicle and DOE was standing in front of the vehicle cussing and yelling that is when COONSIS ran over DOE. COONSIS admitted she was intoxicated. COONSIS stated she had the three miniature Yukon Jacks and a beer.

27. COONSIS stated she knows she committed a crime and she is fully guilty of it. COONSIS stated she will take "initiative" and face what she has to face.

28. CI Leekity informed the FBI on 05/02/2017 while doing a follow-up, J.C. advised he recorded a telephone conversation, at approximately 7:19 P.M. on 04/29/2017, with COONSIS after the hit and run of DOE. J.C. stated he forgot to mention he called and recorded COONSIS after the Zuni PD officer dropped him off at his residence. CI Leekity advised she listened to the recording and recognized COONSIS' voice. CI Leekity was able to download the recording from a device and provided a copy of the recording to the FBI.

29. During the recorded telephone call obtained by CI Leekity and provided to the FBI, J.C. asks COONSIS if she is alright and COONSIS answers, "yeah, why?" When J.C. asks COONSIS if she remembers what she did, COONSIS answers, "yeah, I remember what I did." J.C. asks COONSIS again, "are you sure you, do you really know what you did," and COONSIS answers, "Yeah, I ran her over, I don't give a fuck."

30. During the recorded telephone call, J.C. asks COONSIS why she did it and states that she could have hit him or B.C. too. COONSIS answers, "I was just aiming for her ass cause she keeps on fucking beating me up for what reason… (unintelligible)." COONSIS then states, "I'll turn myself in." J.C. again asks COONSIS why she did it. COONSIS states, "I'm gonna turn myself in."

CONCLUSION

31. Based on the forgoing, I believe there is probable cause to show that BREE LYNN COONSIS, an enrolled member of the Zuni Pueblo, did unlawfully kill JANE DOE, on or about April 29, 2017, within the exterior boundaries of the Zuni Indian Reservation, in Indian Country, in the

District of New Mexico in violation Title 18 U.S.C. §§ 1153(a) and 1112, Involuntary Manslaughter in Indian Country, NMSA § 66-8-102, Driving Under the Influence of Intoxicating Liquor or Drugs, and NMSA § 66-8-113, Reckless Driving.

32. Affiant respectfully requests an Arrest Warrant for BREE LYNN COONSIS be issued.

Respectfully submitted,

Nancy Stemo
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me on May 5, 2017.

UNITED STATES MAGISTRATE JUDGE